

IN THE UNITED STATES PATENT AND TRADEMARK  
OFFICE

**REQUEST FOR FILING**  
(RULE 53(b)(1))

FOR DESIGN OR UTILITY APPLICATIONS  
(DO NOT USE FOR CIPs)



00909

Rule 53(b)(1) PATENT APPLICATION:

☒ Continuation )  
 ) application under 37 CFR 1.53(b)(1)  
☐ Divisional )  
of pending prior application of

Group Art Unit: 1642

Inventor(s): Nabil Hanna; Gary R. Braslawsky;  
Kandasamy Hariharan

Examiner: G. Nickol

Parent Appl. No.: 08 933,359  
Series Code 0 Serial No. 0

Atty. Dkt. P 0280618 1997-30-0568A  
New M# Client Ref

Parent Filed: September 18, 1997  
This Appln. Filed: May 14, 2001

Title: SYNERGISTIC COMPOSITION AND METHODS FOR TREATING NEOPLASTIC OR  
CANCEROUS GROWTHS AND FOR RESTORING OR BOOSTING HEMATOPOIESIS

Hon. Commissioner of Patents  
Washington, DC 20231

Date: May 14, 2001  
(Parent Matter No. 0275999 )

To effect the above-requested filing today:

**Attached** is a copy (**which must be filed**) of the prior application, including:

- ☒ Abstract  
☒ Specification and claims (28 pages) (**must be attached**)  
☒ Drawings (**must be attached if originally filed**): 6 sheet(s)/set: ☐ 1 set informal;  
☒ Formal of size ☒ A4 ☐ 11"

Always X one box, only:

- (1) ☒ Copy of **Signed** declaration or oath as originally filed in prior application **attached**  
(2) ☐ NO declaration or fee is enclosed; therefore, this is a filing under Rule 53(f).

2. ☐ This application is hereby filed by less than all of the inventors named in the prior application. Petition is hereby made requesting deletion as inventor(s) of the following who is/are **not** inventor(s) of the invention being claimed in this application (**DELETE THE FOLLOWING INVENTOR(S)**):

1. _____	2. _____
3. _____	4. _____
5. _____	6. _____
7. _____	8. _____

2.5 THE INVENTOR(S) FOR THIS NEW APPLICATION IS(ARE):

1. _____	2. _____
3. _____	4. _____
5. _____	6. _____
7. _____	8. _____

3. The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated therein by reference thereto.

- 30177619 1.DOC

12. ☒ **INFORMATION DISCLOSURE STATEMENT:** Attached is Form PTO-1449 listing all of the documents cited by Applicant and the PTO in the parent application(s) relied upon under 35 USC 120 and referenced in item 9 above. Per Rule 98(d) copies of those documents are not required now. Please consider those documents and advise that they have been considered in this new application as by returning a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609. .
13. ☐ Attached is a Rule 103(a) Petition to Suspend Action.
14. Reserved

**FILING FEE**

THE FOLLOWING FILING FEE IS BASED ON

-&gt;-&gt;-&gt;-&gt;CLAIMS AS FILED AND CHANGED BY PRELIMINARY AMENDMENT IN ITEM 14&lt;-&lt;-&lt;-&lt;-

NOTE: If box 1A2 is X'd, do not pay fees,  
but leave lines 15-22 and 27-32 blank.

				Large/Small Entity		Fee Code
15. Basic Filing Fee . . . . . Design Application				\$320/\$160		106/26
16. Basic Filing Fee . . . . . Utility Application				\$710/\$355	+710	101/201
17. Total Effective Claims	23	minus 20 =	3	x \$18/\$9	+54	103/203
18. Independent Claims	2	minus 3 =	0	x \$80/\$40	+0	102/202
19. If any proper multiple dependent claim (ignore improper) is present,				\$270/\$135	+0	104/204
20. Subtotal =				\$764		
21. If "petition" box 13 above is X'd, add petition fee. . . . . \$130					+0	122
21A. If box 6 above is X'd, add Assignment recording fee . . . . . \$ 40					+0	581
22. TOTAL FILING FEE ATTACHED =				\$764		

(carry forward to Item 31)

23. ☐ ATTACHED:
24. ☒ See the attached Preliminary Amendment
25. ☐ See NONPUBLICATION REQUEST under Rule 213(a) attached (Pat-258)

26.

**ADDITIONAL FEE CALCULATION FOR  
PRELIMINARY AMENDMENT  
PER BOXES 24/25**

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Additional Fee	File Code
			<u>Large/Small Entity</u>		
27.	Total Effective Claims *	minus ** 20	= 3 x \$18/\$9	= \$ 0	(103/203)
28.	Independent Claims *	minus *** 3	= 0 x \$80/\$40	= + 0	(102/202)
29.	If amendment enters proper multiple dependent claim(s) into this application for the first time, add (per application) .....			\$270/\$135 + 0	(104/204)
30.	ADDITIONAL FEE			\$ 0	
31.	plus FEE from item 22 on page 3			+ 764	
32.	<b><u>TOTAL FEE ATTACHED</u></b>			<b><u>\$ 764</u></b>	

33. "If the entry in this space is less than a entry in the next space, the "Present Extra" result is "0"

34. "If the "Highest number previously paid for" (see item 17 above) is less than 20, write "20" in this space

35. If the "Highest number previously paid for" (see item 18 above) is less than 3, write "3" in this space



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Our Deposit Account No. 03-3975

Our Order No. 037003

C#

0280618

M#

**CHARGE STATEMENT:** Upon the filing of a Declaration pursuant to Rule 60(b) or 60(d), the Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

**This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.**

**Pillsbury Winthrop LLP  
Intellectual Property Group**

By Atty: Robin L. Teskin Reg. No. 35,030

Sig: *Robin L. Teskin* Fax: (202) 822-0944  
Tel: (202) 861-3623

Atty/Sec RLT/csa

**NOTE No. 1:** File this Request in duplicate with 2 postcard receipts (PAT-103) & attachments

**NOTE No. 2:** Is extension in parent necessary for dependency? DOUBLE CHECK item 11 above.

If yes, printout Pat-111 and head it in parent.